

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/501,324

AMENDMENTS TO THE DRAWINGS

Applicant has labeled FIGS. 5-7 as --Prior Art--.

Attachment: Three (3) Replacement sheets.

REMARKS

Claims 1-23 are all the claims pending in the application. By this Amendment, Applicant is adding new claim 23.

Claims 1-22 presently stand rejected. Claim 1 is the only independent claim.

Drawing Objections

The Examiner has objected to the drawing figures filed July 15, 2004. Specifically, that Examiner has asserted that FIGS. 5-7 should be designated by a legend such as --Prior Art--. In response, Applicant has labeled FIGS. 5-7 as --Prior Art--.

Specification Objections

The disclosure is objected to because various portions of the specification and Table 1 refer to the pending claims. In response, Applicant has amended the specification and Table 1 so that any reference to the pending claims is deleted.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-22 are rejected under 35 U.S.C. § 112, second paragraph. With respect to independent claim 1, the Examiner has suggested that Applicant replace “to an equatorial place” with --toward an equatorial plane-- and replace “zigzag stage” with --zigzag shape--. In response, Applicant has amended claim 1 in the suggest manner and respectfully requests that the Examiner withdraw the §112, second paragraph, rejection.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4, 6, 7, 9-11, 15, 16, 19 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 11-291715 (“JP ‘715”) in view of Nakagawa et al. (6,220,320) and Ikeda (D288,196).

Claim 1

As an initial matter, Applicant has amended independent claim 1 so that it recites that the first longitudinal land portion and the second longitudinal land portion are alternately connected to each other and arranged in the tire circumferential direction between sides forming a zigzag shape of the zigzag circumferential direction groove *and the sharp inclining groove portions*.

With respect to independent claim 1, Applicant respectfully traverses the rejection at least because we see no combination of JP '715, Nakagawa, and Ikeda that would reasonably teach or suggest all of the claim's recitations. For example, Applicant respectfully submits that there is no combination of these references that would reasonably teach or suggest the claimed tire having a pair of zigzag circumferential grooves, a plurality of pairs of inclining grooves, and a first longitudinal land portion and a second longitudinal land portion provided between the zigzag circumferential grooves and the sharp inclining grooves and *alternately connected to one another*, such that (1) the first longitudinal land portion has a *substantially uniform width* and the second longitudinal land portion has a *width which gradually increases* and (2) portions of one sharp inclining groove portion and an adjacent sharp inclining groove portion overlap one another.

An exemplary embodiment of the features (1) and (2) are shown in the of FIG. 3¹ of the original specification, which is provided below. That is, as shown below, a land portion having a *substantially uniform width* W_{34} is alternately connected to another land portion having a *width which gradually increases* W_{36} , and a sharp inclining groove portion 32A and an adjacent sharp inclining groove portion 32A overlap one another.

¹ Shown below is FIG. 3 of the Japan priority document, which is the same as FIG. 3 of this application.

JP '715 discloses a motorcycle tire having inclined grooves 10A that extend toward a fluting 11 provided at a central portion of the tire.² However, JP '715 does not disclose that a pair of zigzag circumferential grooves are provided at a central portion of the tire. Therefore, the Examiner looks to the zigzag grooves of Nakagawa³ and Ikeda⁴ in an attempt to make up for this deficiency.

Even assuming *arguendo* that one of ordinary skill would have been motivated to modify JP '715 so that it includes a pair of zigzag circumferential grooves at the central portion of the tire, there is no suggestion that the resulting combination would include a first longitudinal land portion have a *substantially uniform width* and a second longitudinal land portion has a *width which gradually increases*.

That is, the Examiner alleges that the fact that the principal part 12M of the slot 12 shown in FIG. 13 includes two portions, a first portion with a small angle α_1 and a second portion with a larger angle α_2 means that the two land portions are formed, one with a substantially uniform width (corresponding to the portion at angle α_1) and another with a width which gradually increases (corresponding to the portion at angle α_2).⁵

² See JP '715 at FIG. 2.

³ See Nakagawa at single zigzag groove 4 in FIG. 1.

⁴ See Ikeda at FIG. 2.

⁵ See JP '715 at FIG. 3. See Office Action dated November 13, 2006 at page 6, second full paragraph.

However, in fact, both of the portions of JP '715's slot 12 between the groove 10A and the flute 11 of JP '715 discussed by the Examiner are land portions that have a width that *gradually increases*.⁶

Moreover, if JP '715 were modified to include zigzag portions, there is no suggestion that the resulting land portions would alternate between one having a *substantially uniform width* and another having a *width which gradually increases*.

B. Portions of one sharp inclining groove portion and an adjacent sharp inclining groove portion overlap one another

In addition, Applicant respectfully submits that the applied references do not disclose that portions of one sharp inclining groove portion *whose angle with respect to the tire circumferential direction is within a range of 0 to 20 degrees* and another sharp inclining groove portion *whose angle with respect to the tire circumferential direction is within a range of 0 to 20 degrees* of the inclining grooves adjacent to each other in the tire circumferential direction are made to overlap one another in the tire transverse direction.

The Examiner alleges that JP '715 discloses that "sharp inclining groove portions" of JP '715's adjacent grooves overlap one another. However, claim 1 requires that the sharp inclining groove portions have an angle that is *within a range of 0 to 20 degrees*. Therefore, because the portion of JP '715's grooves that overlap are not at an angle that is within a range of 0 to 20 degrees, JP '715 cannot meet this claim feature.

In an attempt to support the rejection, the Examiner points to the disclosure in JP '715 that the angle α_1 of the groove 12 is between 0 and 35 degrees.⁷ However, as is shown in FIGs. 2

⁶ See JP '715 at FIG. 3.

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and 3 of JP '715, the part of JP '715's groove 12 that overlaps an adjacent groove is at an angle α_2 , which is *between 30 and 100 degrees*.⁸

Therefore, for the reasons discussed above, Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1.

Claims 2, 4, 6, 7, 9-11, 15, 16, 19 and 22

Moreover, Applicant respectfully requests that the Examiner withdraw the rejections of dependent claims 2, 4, 6, 7, 9-11, 15, 16, 19 and 22 at least because of their dependency from claim 1.

Claims 3, 8, 14, 17, 18 and 21

Claims 3, 8, 14, 17, 18 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '715 in view of Nakagawa and Ikeda, and further in view of JP 6-55909 ("JP '909").

Applicant respectfully requests that the Examiner withdraw the rejections of dependent claims 2, 3, 8, 14, 17, 18 and 21 at least because of their dependency from claim 1 and because JP '909, which the Examiner asserts as showing various other features of a motorcycle tire, do not cure the deficiencies in JP '715 discussed above.

Claim 20

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '715 in view of Nakagawa and Ikeda, and further in view of EP 368553 ("EP '553").

² See JP '715 at para. [0019].

⁸ See JP '715 at para. [0019] & FIGs. 2 and 3. FIG. 3 shows the groove at angle α_2 and FIG. 2 shows that adjacent grooves overlap at this portion.

Applicant respectfully requests that the Examiner withdraw the rejection of dependent claim 20 at least because of its dependency from claim 1 and because EP '553, which the Examiner asserts as showing inclined groove walls of a motorcycle tire, does not cure the deficiencies in JP '715 discussed above.

Allowable Subject Matter

Claims 5, 12 and 13 would be allowable if rewritten to overcome the § 112, second paragraph rejection, and if rewritten in independent form.

Applicant hereby hold in abeyance the rewriting of these claims until the Examiner has had an opportunity to consider the remarks above with respect to independent claim 1.

New Claim

Finally, Applicant has added new dependent claim 23 in order to provide additional subject matter. New claim 23 is supported at least by FIG. 3 of the original specification, which is shown above.

Applicant respectfully submits that claim 23 is patentable at least because of its dependency from independent claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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